

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

ROBERT T. KINCADE,

Plaintiff,

VERSUS

VALENT U.S.A. CORPORATION,

Defendant.

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No. 4:05CV056-M-B

ORDER ADOPTING REPORT AND RECOMMENDATION

Upon consideration of the file and record of this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated February 14, 2006, was on that date duly served by regular mail upon the *pro se* plaintiff and electronically upon counsel for defendant at their last known addresses; that more than ten days have elapsed since service of said Report and Recommendation; and that no objection thereto has been filed or served by any party. The Court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated February 14, 2006, is **APPROVED AND ADOPTED** as the opinion of the Court;
2. That plaintiff's claims are hereby **DISMISSED** with prejudice for his failure to prosecute and his failure to obey an order of the Court; and
3. That this case is **CLOSED**.

THIS, the 31st day of March, 2006.

/s/ Michael P. Mills
UNITED STATES DISTRICT JUDGE